

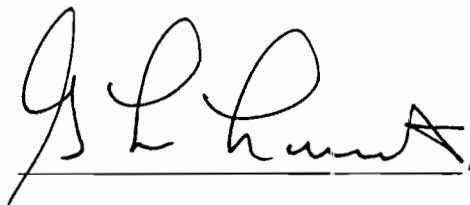
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	
)	Criminal No. 08-102
TYRONE KIRK,)	
Defendant.)	

ORDER

Defendant, Tyrone Kirk, has moved to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) [Doc. No. 72]. In short, he seeks to have his sentence reduced pursuant to the Fair Sentencing Act of 2010 ("FSA"). However, records show that Kirk was sentenced on November 6, 2009. As the FSA only applies to defendants sentenced on or after August 3, 2010, the date the FSA was signed into law, the FSA does not apply to Kirk and his sentence is not eligible for reduction. United States v. Dixon, 648 F.3d 195, 203 (3d Cir. 2011).

THEREFORE, IT IS HEREBY ORDERED this 30th day of May, 2012, that Kirk's Motion to Reduce Sentence is DENIED.

 C.J.

cc: All Counsel of Record

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